OD-4, 5 & 6

IN THE HIGH COURT AT CALCUTTA
Original Jurisdiction
ORIGINAL SIDE

IA NO.CA/23/2020[OLD NO.CA/58/2020]
IN BIFR/65/1988

IN THE MATTER OF:
KUMARDHUBI FIRE CLAYSILICON W.LTD. [IN LIQN.]
……

IA NO.CA/25/2020
IN BIFR/65/1988

IN THE MATTER OF:
KUMARDHUBI FIRE CLAYSILICON W.LTD. [IN LIQN.]
……

IA NO.CA/24/2020[OLD NO.CA/59/2020]
IN BIFR/65/1988

IN THE MATTER OF:
KUMARDHUBI FIRE CLAYSILICON W.LTD. [IN LIQN.]
……

BEFORE:
The Hon'ble JUSTICE ASHIS KUMAR CHAKRABORTY
Date : 16th December, 2020.

Mr. B. P. Banerjee,
Mr. A. Bhattacharjee, Mr. P. Baidya, Advs…. for petitioner.

Mr. M. C. Ghosh, Adv…for O/L.

The Court : The applicant's claim, as an unsecured creditor of the Company (In Liquidation), has already been adjudicated by the Official Liquidator for Rs.6,61,198.64P.

It is submitted by the Official Liquidator that the dues of the secured and some of the unsecured creditors of the Company (In Liquidation) have already been paid and at present a sum of Rs.10,48,50,150/- is lying to the credit of the Company (In Liquidation).

From the affidavit filed by the Official Liquidator it appears that total outstanding dues of the unsecured creditors of the Company (In Liquidation), including that of the present applicant has been admitted at Rs.22,10,240/-. An amount of Rs.2,90,62,308.00 appears to be the outstanding dues of the workers of the Company (In Liquidation) under the Gratuity Act.

Thus, it is evident that the Official Liquidator has sufficient funds to pay the dues of the present applicant to the tune of Rs.6,61,198.64P.

The Official Liquidator is directed to pay the dues of the applicant, against the Company (In Liquidation), on account of principal amounting to Rs.6,61,198.64P. positively within January 15, 2021. The applicant's claim for interest on the outstanding dues shall be adjudicated by the Official Liquidator later.

The application, CA/24/2020 along with the connected applications, CA/23/2020 and CA/25/2020 stand disposed of accordingly.

(ASHIS KUMAR CHAKRABORTY, J.)

pkd.